

SENATE BILL REPORT

SB 5391

As Reported by Senate Committee On:
Health & Long-Term Care, February 23, 2009

Title: An act relating to regulating tattooing and body piercing businesses.

Brief Description: Regulating tattooing and body piercing.

Sponsors: Senators Kastama, Haugen, Fairley, Roach and Pflug.

Brief History:

Committee Activity: Health & Long-Term Care: 2/18/09, 2/23/09 [DPS].

SENATE COMMITTEE ON HEALTH & LONG-TERM CARE

Majority Report: That Substitute Senate Bill No. 5391 be substituted therefor, and the substitute bill do pass.

Signed by Senators Keiser, Chair; Franklin, Vice Chair; Pflug, Ranking Minority Member; Becker, Fairley, Marr, Murray and Parlette.

Staff: Edith Rice (786-7444)

Background: The Secretary of the Department of Health (DOH) has established requirements for the sterilization of needles and instruments used by tattoo artists. These rules address both sterilization procedures and universal precautions for preventing the spread of disease. There are no similar provisions for body art or body piercing.

The practices of body art, body piercing, and tattooing are not currently regulated in Washington State.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): A license is required to practice body art, body piercing, and tattooing.

Body art is the practice of physical cosmetic body adornment including branding and scarification. Body piercing is the practice of piercing the skin to insert an object. Tattooing is the indelible marking of the skin by inserting nontoxic dyes or pigments under the subcutaneous portion of the skin.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Department of Licensing (DOL) must administer licensing for these practices according to minimum safety and sanitation standards set by DOH. A license is required for individual practitioners and for body art, body piercing, and tattooing businesses. DOL will inspect businesses every two years or upon receipt of a complaint. Business and individual licenses must be renewed annually.

Minimum standards are established by DOL for body art, body piercing, and tattooing businesses. DOH will establish sterilization standards for body art, body piercing, and tattooing.

EFFECT OF CHANGES MADE BY HEALTH & LONG-TERM CARE COMMITTEE (Recommended Substitute as Passed Committee): Body art and body piercing do not include any health related procedures performed by health care practitioners.

Appropriation: None.

Fiscal Note: Available.

[OFM requested ten-year cost projection pursuant to I-960.]

Committee/Commission/Task Force Created: No.

Effective Date: The bill takes effect on July 1, 2010.

Staff Summary of Public Testimony on Proposed Substitute as Heard in Committee:

PRO: These newly regulated professions will pay for their own regulation. We would like to see this bill implemented as soon as possible. This bill will raise the level of professionalism for all its practitioners. This is a fast growing area, qualified professionals need training. We need to pass a responsible bill.

Persons Testifying: PRO: Senator Kastama, prime sponsor; Senator Murray; Kitty Candelaria, National Hepatitis C Institute; Penny Rudy, Chrysalis Clinic; Mary Tanneberg, DermaTech Cosmetics; Troy Amundson, Apocalypse Tattoo and Body Piercing.